

September 18, 2013

*Via Federal Express*  
Clerk of Court's Office  
United States District Court  
District of New Jersey  
Mitchell H. Cohen Building & U.S. Courthouse  
4<sup>th</sup> & Cooper Streets, Room 1050  
Camden, NJ 08101

RECEIVED  
SEP 24 2013  
AT 8:30  
WILLIAM T. WALSH  
CLERK

Re: *Susan Doherty and Dwight Simonson v. The Hertz Corporation, et al.*, Case No. 1:10-CV-00359

Dear Clerk of Court:

Please accept this letter as my objection to the proposed class action settlement, the award of excessive attorneys' fees to class counsel, and the Court's approval of the settlement in the above referenced class action lawsuit. The proponents of this settlement have not met their burden to show that the settlement is fair, reasonable, and adequate.

I am a consumer who rented a vehicle from Hertz between July 1, 2006 and March 31, 2010, inclusive, and during the rental used the PlatePass service and was assessed PlatePass service fees (f/k/a administrative fees) and toll charges associated with my use of PlatePass, therefore I am a member of the class.

My name is Judd Clayton, <sup>SR JC</sup> My address and phone number are 1724A Oleander Drive Dickinson, Texas 77539; (281) 337-0337.

I additionally object on the following grounds:

Objection is made to the overall unfairness of this settlement. Objection is made based on the proposed award of attorneys' fees, which is excessive under both a lodestar and a percentage of recovery methodologies. Additional objection is made to the extent of the failure of class counsel to make a detailed attorneys' fee and expense application within a reasonable and adequate amount of time for objectors to evaluate the fee and expense application. Class attorneys stand to collect almost 30% of the \$11 million settlement fund. This percentage is excessive regardless of the fund amount, but is especially objectionable given the amount of this particular fund.

Objection is made to the \$5,000 to be paid to each class representative, as this amount is excessive. Objection is made to any amount over \$1,500 as excessive and as an unnecessary expense.

Specific objection is made that the proponents of this settlement have not met their burden to show that the settlement is fair, reasonable, and adequate.

I also object to the proponents of the settlement not sustaining their burden of proof on commonality, predominance, superiority and adequacy of class counsel and class representatives under Federal Rule of Civil Procedure 23.

Objection is made to any procedures or requirements to object that require information or documents other than those that are contained herein to the extent that such requirements are unnecessary, unduly burdensome, are calculated to drive down the number and quality of objections to the settlement and violate objectors' due process rights and Rule 23(e)(5).

I also join in and incorporate herein by reference any and all objections filed by other objectors as though set forth in full, to the extent not inconsistent with the specific objections made herein.

I have never been involved as an objector in any class action lawsuit prior to this one.

I will not attend the fairness hearing.

I am mailing my objections, as indicated above and below, to the court and to the attorneys identified in the notice as required recipients.

Sincerely,



Judd Clayton, Jr.

cc: *Via UPSP First Class Mail*

**Hertz PlatePass Settlement**

C/O Dahl Administration  
P.O. Box 3615  
Minneapolis, MN 55403-0615

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Scott H. Moskol, Esq.  
Burns & Levinson LLP  
125 Summer Street  
Boston, MA 02110

## Hertz PlatePass Settlement Website

Susan Doherty and Dwight Simonson v. The Hertz Corporation, American Traffic Solutions, Inc., and PlatePass LLC  
UNITED STATES DISTRICT COURT, DISTRICT OF NEW JERSEY, CIVIL ACTION NO. 1:10-cv-00359-NLH-KMW

- Home
- Frequently Asked Questions
- Important Dates
- Filing A Claim
- Settlement Documents
- Contact Us

Processed by Dahl Administration

Thank You

Your claim has been submitted.

Thank you for completing your claim online. Your confirmation number is:

64060897

A confirmation has also been sent to the email address you provided. If you have any questions, please contact the claims administrator.

# FedEx®

## Express

Extremely Urgent

From: (281) 337-0337  
Judd Clayton  
1724 Oleander  
Suite A  
DICKINSON, TX 77539

Origin ID: GLSA

SHIP TO: (856) 757-5021  
Clerk of Court's Office  
US Dist Ct - NJ  
Mitchell H. Cohen Bldg & Courthouse  
4th & Cooper Streets, Room 1050  
Camden, NJ 08101

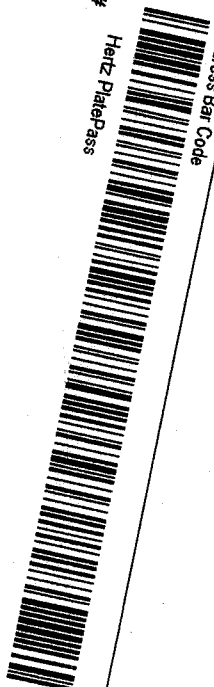
BILL SENDER



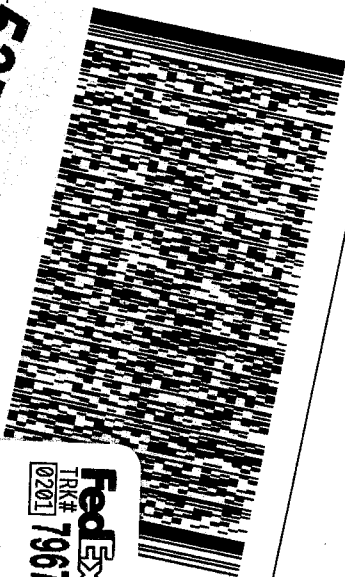
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Hertz PlatePass



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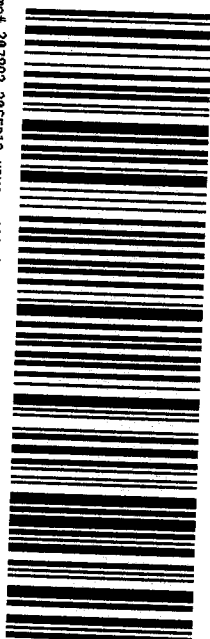
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NJ-US  
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MON - 23 SEP 10:30A  
MORNING 2DAY



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